IAP5 Rec'd PCT/PTO 25 JAN 2006 PATENT

ATTORNEY DOCKET NO. 46884-5452

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 565833

| In re Applicat | tion of: Takeshi YAMANAKA, et al.) | Confirmation No.: Unassigned | | | | | | | |
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| National Stag | e Application of: PCT/JP2004/010497) | Group Art Unit: Unassigned | | | | | | | |
| Filed: Januar | ry 25, 2006 | Examiner: Unassigned | | | | | | | |
| For: DEVI | or: DEVICE AND METHOD FOR MEASURING SCATTERING ABSORBER | | | | | | | | |
| | nd Trademark Office indow Mail Stop: | ee · | | | | | | | |
| Sir: | | | | | | | | | |
| INFORMATION DISCLOSURE STATEMENT (IDS) | | | | | | | | | |
| brings to the a the undersign Action on the | r 37 C.F.R. § 1.97(b): Pursuant to 37 C.F.R. attention of the Examiner the documents listered's knowledge, this IDS is being filed before merits, before the mailing date of a first Offi 1.114, or within three months of the application. | d on the attached PTO Form 1449. To the mailing date of a first Office ce Action on the merits after filing an | | | | | | | |
| Under 37 C.F.R. § 1.97(c): Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the application. | | | | | | | | | |
| | The fee of \$180.00 set forth in § 1.17(p) is i | ncluded herein; or | | | | | | | |
| | Applicant submits that each item of informacited in any communication from a foreign application not more than three months prior | patent office in a counterpart foreign | | | | | | | |
| brings to the a | r 37 C.F.R. § 1.97(d): Pursuant to 37 C.F.R. attention of the Examiner the documents listering filed after the events recited in § 1.97(c) | d on the attached PTO Form 1449. | | | | | | | |
| | The fee of \$180.00 set forth in § 1.17(p) is i | ncluded herein; and | | | | | | | |
| | Applicant submits that each item of information in any communication from a foreign papplication not more than three months prior | patent office in a counterpart foreign | | | | | | | |

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| <u>Under 37 C.F.R. § 1.97(i)</u> : Pursuant to 3 | 37 C.F.R. §§ 1.56 and 1.97(i), Applicant brings |
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| to the attention of the Examiner the documents lis | sted on the attached PTO Form 1449. This IDS |
| is being filed after the events recited in § 1.97(d). | Applicant requests that the IDS be refreed in |
| the file. | . 10/ 909833 |

A search report or other listing of documents from a counterpart, related, or other application dated August 31, 2004 and having documents cited thereon is attached for the Examiner's consideration. Any of these documents not previously cited, and any additional documents are listed on the PTO Form 1449.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. As for any document listed on the accompanying PTO-1449 that is in a language other than English, relevance can be understood from an enclosed English abstract or at least partial translation or from mention in the specification or in a search report for a corresponding application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Peter J. Sistare

Registration No. 48,183

Dated: January 25, 2006

CUSTOMER NO. 055694 DRINKER, BIDDLE & REATH LLP

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| INFORMATION DISCLOSURE CITATION | | | Attorney Docket No.: 46884-5452 | | | 565833 | | | | |
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| | PTO Form 1449 | Filing Dat | | | Group Art Unit: | | | | | |
| | | | January 25, 2006 | | | Unassigned | | | | |
| U.S. PATENT DOCUMENTS | | | | | | | | | | |
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| | FOR | EIGN PATENT DOC | UMENTS | | | | | | | |
| | Document | | | | Sub | Translation | | | | |
| | Number | Date | Country | Class | Class | YES | | NO | | |
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| | ference considered, whether commance and not considered. | | | | | | citatio | n if | | |